

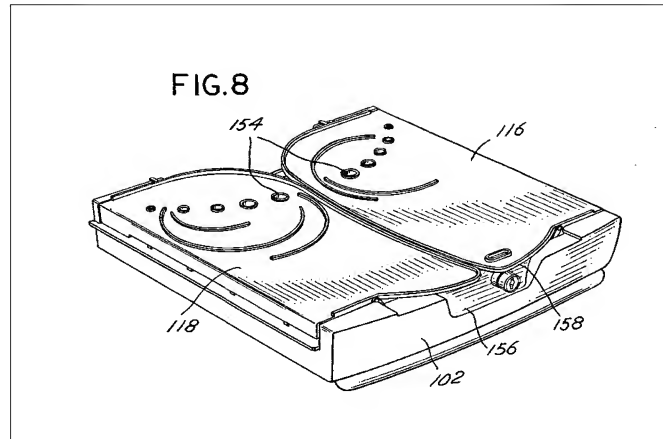
REMARKS

Claims 1, 3-15, and 18-23 are pending with claims 5, 6, 9, 15, and 20-23 being withdrawn.

35 U.S.C. § 103 Rejections

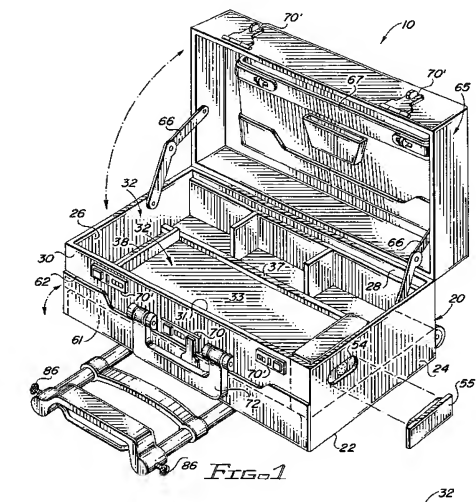
The applicants respectfully traverse the rejection of claims 1, 3, 4, 7, 8, 10-14, 18, and 19 as obvious over U.S. Patent No. 6,745,897 to Barber (“Barber”) in view of U.S. Patent No. 5,485,922 to Butcher (“Butcher”). To establish a *prima facie* case of obviousness, “[a]ll words in a claim must be considered in judging the patentability of the claim against the prior art.” M.P.E.P. § 2143.. Each of claims 1, 3, 4, 7, 8, 10-14, 18, and 19 recites a storage container comprising a first cover section, the first cover section “having an exterior surface comprising a recessed writing surface.”

Contrary to the allegation in the official action, Barber does not disclose or suggest a recessed writing surface of any sort. The official action alleges that Barber discloses that “the exterior sides of the first and second cover define recessed (recesses 154 – See Fig. 8) writing surfaces (Fig. 8 ref 70 and 40).” *See* the official action, page 3. However, reference numeral 154 in Fig. 8 (shown below) is not a surface of any sort, but rather, Barber teaches that reference numeral 154 identifies “holes” that “may be provided in the platforms 116 and 118 for ventilation and the flow of air into the case.” *See* Barber col. 6, lines 61-63. Thus, the holes 154 (identified as the recessed writing surface) cannot be considered surfaces of any sort, let alone recessed writing surfaces as alleged in the official action. As a result, Barber fails to disclose or suggest a cover section having an exterior surface comprising a recessed writing surface, as is recited by each of claims 1, 3, 4, 7, 8, 10-14, 18, and 19.



Additionally, the official action alleges that reference numerals 70 and 40 in Fig. 8 are writing surfaces. As seen above, reference numerals 70 and 40 do not exist in Fig. 8. As a result, the applicants respectfully request a clarification of this point in any subsequent official action. Moreover, the applicants respectfully request that any subsequent official action be made non-final at least for this reason.

Like Barber, Butcher fails to disclose or suggest a recessed writing surface of any sort. Butcher discloses a portable computer case including a main housing 20 and a lid 65 attached to the main housing 20. However the lid 65 of Butcher does not include a recessed writing surface of any sort. *See Butcher, Fig. 1* below. Thus, Butcher fails to disclose or suggest a cover section having an exterior surface comprising a recessed writing surface, as is recited by each of claims 1, 3, 4, 7, 8, 10-14, 18, and 19.



Because Barber and Butcher both fail to disclose or suggest a cover section having an exterior surface comprising a recessed writing surface, as is recited by each of claims 1, 3, 4, 7, 8, 10-14, 18, and 19, none of claims 1, 3, 4, 7, 8, 10-14, 18, and 19 can be rendered obvious by any combination thereof. Thus, the applicants respectfully request withdrawal of the rejection of claims 1, 3, 4, 7, 8, 10-14, 18, and 19.

The recessed writing surface recited in claims 1, 3, 4, 7, 8, 10-14, 16, 18, and 19 restricts lateral movement of writing instruments and/or substrates placed on the recessed writing surface. This is especially useful when a user is using the storage container as a lap-top desk, for example, while sitting in a waiting area. Thus, the claimed storage container is an improvement over the cited art.

Conclusion

The applicants respectfully request reconsideration of claims 1, 3, 4, 7, 8, 10-14, 18, and 19. A petition for a three month extension of time and the required fees are enclosed. No other fees are believed due. However, if there are any fees (or refunds) required, the Commissioner is directed to charge (or credit) Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP.

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Respectfully submitted,

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